

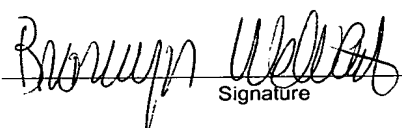


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PTO/SB/33 (07/05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		34019US	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR on <u>March 7, 2006</u> Signature _____ Typed or printed name <u>Bronwyn A. Welvaert</u>		Application Number <u>10/663,416</u>	Filed <u>September 16, 2003</u>
		First Named Inventor <u>Bruce B. Randolph</u>	
		Art Unit <u>1755</u>	Examiner <u>Jennine M. Brown</u>
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>Bronwyn A. Welvaert</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>52,350</u>		<u>918/661-0652</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		<u>March 7, 2006</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☒ *Total of 2 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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10/663,416
34019US

**Response Under 37 CFR 1.116
Expedited Procedure
Examining Group: 1755**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bruce B. Randolph, Marvin M. Johnson, and
Glenn W. Dodwell

Serial No.: 10/663.416

Group Art Unit: 1755

Filed: September 9, 2004

Examiner: Jennine M. Brown

For: ISOPARAFFIN-OLEFIN ALKYLATION

***REQUEST FOR CONSIDERATION
IN THE
PRE-APPEAL BRIEF CONFERENCE PILOT PROGRAM***

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This request for consideration in the pre-appeal brief
conference pilot program is being made for the reasons herein.

Remarks

It is believed that the Examiner has misinterpreted the references in making these rejections.

Claims 1-7 have been rejected under 35 U.S.C. 102(b) as being anticipated by Aumuller et al. (U.S. 5,714,611).

Aumuller discloses a process to prepare N,N'-bridged compounds (*see* col. 1, lines 7-9). These compounds can be prepared by reacting tetramethylpiperidine compounds with a cyclic carbonate (*see* col. 2, lines 50-60). This reaction can be carried out with a catalyst. The catalyst can be a sulfonic acid catalyst (*see* col. 6 lines 1-13). A polymer is not one of the catalyst components listed. This reference does not disclose a composition comprising both a sulfonic acid and a polymer *together*.

Claims 1-9 have been rejected under both 35 U.S.C. 102(b) and 35 U.S.C. 103(a) over Aumuller (U.S. 5,914,360).

The Aumuller '360 reference, like the Aumuller '611 reference, discloses a process to prepare N,N'-bridged bistetramethylpiperidinyll compounds (*see* Aumuller '360, col. 1, lines 8-10). This process can be carried out with a catalyst. The catalysts listed include sulfonic acid catalysts (*see* Aumuller '360, col. 6, lines 19-30). Aumuller '360 does not disclose a catalyst containing a polymer or a catalyst useful for stabilizing polymers.

The Examiner states "Aumuller, et al. disclose an acid catalyst composition comprised of. . . , heavy metal catalysts . . . and organic catalysts . . . used in an amount from 0.01 to 25 mole percent and are used to stabilize alkyl acrylate copolymers, alkyl methacrylate copolymers and other polymers (col. 6, l. 1 – col. 7, l. 54; col. 8, l. 56 – col. 9, l. 17)." (*see* Final Office action, page 4, 3rd paragraph).

However, the compound 'Ia' in the both Aumuller references, (the structure of which is found in col. 7, lines 15-25 of Aumuller '360) is a compound which can stabilize copolymers (*see* col. 9 lines 7-16). Compound Ia is one of the products made by the processes in the Aumuller references. It is not disclosed in either Aumuller reference as being part of a composition *together with* sulfonic acid. It would not be obvious to use the information in Aumuller '360 to deduce a catalyst containing *both* an acid and a polymer and Applicants submit that the Examiner is mistaken in believing otherwise.

Claims 1 and 5 have also been rejected under 35 U.S.C. 102(b) as being anticipated by Hlatky (WO 01/81436 A1).

Hlatky discloses "polymerizing one or more olefins in the presence of a single-site catalyst, an optional activator, and an ionic liquid." (*see* Hlatky, page 3, 3rd paragraph). The single site catalyst is an organometallic complex with a Group 3 to 10 metal or a lanthanide or actinide metal (*see* Hlatky, page 4 ,3rd paragraph). The complex can also

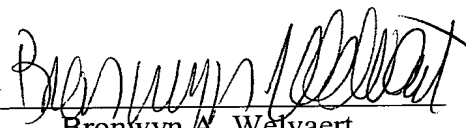
include polymerization-stable anionic ligands (*see* Hlatky, page 4, 4th paragraph).

Hlatky also does not disclose a composition comprising an acid component and a polymer.

In view of the remarks herein, reconsideration and allowance of claims 1-10 and 30-38 is respectfully requested.

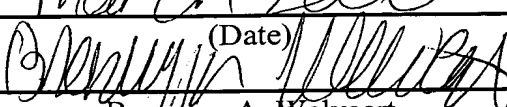
Respectfully submitted,

CONOCOPHILLIPS COMPANY -
I. P. LEGAL

By 
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7 March 2006	(Date)
	
Bronwyn A. Welvaert	